

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAVIER ARGENIS ROJAS-DURAN,

Defendant.

NO. CR19-116JLR

~~(Proposed)~~

ORDER GRANTING MOTION
TO WITHDRAW PLEA



THIS MATTER comes before the Court on Defendant Rojas-Duran's motion to withdraw his guilty plea. Dkt. 53. Having considered the entirety of the record and files herein, the defendant's motion is GRANTED.

On January 15, 2020, the defendant appeared before Magistrate Judge Tsuchida and entered a guilty plea to the offense of conspiracy to distribute methamphetamine. Dkt. 49. Magistrate Judge Tsuchida filed a report recommending that this Court accept the defendant's plea as knowingly, intelligently and voluntarily entered. Dkt. 52.

On January 22, 2020, seven days after his guilty plea and before this court's acceptance of his plea, the defendant filed a motion to withdraw his plea. Dkt. 53. Pursuant to Fed. R. Crim. P. 11(d)(1), the defendant is entitled to withdraw his plea "before the court accepts the plea, for any reason or no reason." Thus, the defendant's motion to withdraw his plea is granted, and the Court will schedule a new trial date.

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2 DATED this th 5 day of February, 2020.

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THE HONORABLE JAMES L. ROBART
UNITED STATES DISTRICT JUDGE

Presented by:

7 /s/ Lisca Borichewski
8 LISCA BORICHEWSKI
9 Assistant United States Attorney